

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, February 2, 2005
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84118

BRIEFING SESSION

Attendance:

Mayor Janice Auger

Council Members:

Chairman Russ Wall
Vice-Chairman Morris Pratt
Council Member Bud Catlin
Council Member Les Matsumura
Council Member Jerry Rechtenbach

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Virginia Loader, City Recorder
Robin Kishiyama, Council Coordinator
Larry Marx, Chief of Police
Don Adams, Economic Development Director
Mark McGrath, Community Development Director
Michael Kwan, Justice Court Judge

BRIEFING SESSION

Chairman Russ Wall conducted the Briefing Session, which convened at 6:00 p.m. The Council reviewed the Administrative Report, after which the agenda was discussed.

CLOSED SESSION

A Closed Session was scheduled but was not held. A brief report was given in regards to an incident that occurred in the City Justice Court between the Judge and the Prosecuting Attorney. Brief discussion was also held in regards to the Redwood Road Corridor Project. Mayor Auger presented information regarding an amendment to an agreement with Planning and Development Services defining the scope of Phase I Area, which includes the subarea of Redwood Road from I-215 to 5400 South, including the full intersections of Redwood Road and 5400 South, I-215 and Redwood Road interchange, 5400 South from 1500 West to 1900 West, and 5600 South from 1500 West to 1900 West.

Council Member Jerry Rechtenbach **MOVED** to adjourn the Briefing Session and convene the Regular City Council Meeting at 6:30 p.m. Council Member Bud Catlin **SECONDED** the motion. Chairman Russ Wall called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: The vote was as follows: Rechtenbach-yes, Catlin-yes, Pratt-yes, Wall-yes and Matsumura-yes,. **All members of the City Council voted and the motion passed unanimously.**

REGULAR MEETING

Attendance:

Mayor Janice Auger

Council Members:

Chairman Russ Wall
Vice-Chairman Morris Pratt
Council Member Bud Catlin
Council Member Les Matsumura
Council Member Jerry Rechtenbach

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Mark McGrath, Community Development Director
Gerry Orr, City Finance Director
Virginia Loader, City Recorder
Robin Kishiyama, Council Coordinator
Larry Marx, Chief of Police
Don Adams, Economic Development Director
Michael Kwan, Justice Court Judge

Citizens: Katie Larsen, Dama Barbour, Jamie McBeth, Jenny Akagi, Gary Keddington, Harlan Christmas, Kevin Jones, Stefun Tilton, Daniel Nehring, Leslie M. Seely, Andrew M., Bryce Brown, Justin Woodbury, Erik Wickham, Kristie Overson, Josh Pettit, D. Thurland Reay, John E. Gidney, Terry Tuch, Michael Springer, Parker Hpwe, Alex Richedrasel, Kevin May, Fred May

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:34:42 Chairman Russ Wall called the meeting to order at 6:34 p.m. and welcomed those in attendance. He then reviewed the Citizen Comment Procedures for the audience.

18:35:50 Chairman Wall recognized Andrew McCormick, Youth Council Mayor; Jamie McBeth, Youth Council Recorder and Jenny Akagi, Youth Council Justice Judge. A representative from Boy Scout Troop 843 introduced their troop.

1.1 Pledge of Allegiance – Opening Ceremonies – *Russ Wall*

18:37:09 Youth Council Member Jenny Akagi directed the Pledge of Allegiance.

1.2 Reverence – (Opening Ceremonies for May 5, 2004 to be arranged by Youth Council)

18:37:52 Youth Council Member Jamie McBeth offered the Reverence.

1.3 Citizen Comments

18:38:49 Chairman Russ Wall called for any citizen comments and there were no comments.

1.4 Mayor's Report

18:38:59 Mayor Janice Auger reported that a meeting with Murray City has been set for February 14, 2005, to discuss a sewer line issue. She then turned time to Chief Marx for a brief report.

18:39:48 Chief Marx reported that jobs have been offered for two lieutenant positions to Ed Span and Wayne Dial. He then gave background information on each of the two new employees.

18:42:08 Mayor Auger then gave her State of the City address, which is attached to these minutes.

2. REPORTS

2.1 Continued Discussion Regarding the Audit Report for Fiscal Year Ending June 20, 2004 – *Jensen & Keddington*

18:53:57 Phyl Warnock and Gary Keddington addressed the City Council and Mr. Warnock distributed copies of a financial statement in order to assist in addressing questions from the Council.

19:33:15 Mayor Auger said that there has been a public accusation that she owns the firm Jensen & Keddington. Gary Keddington said that Mayor Auger is not an owner and she has never been an owner or a partner in the firm of Jensen & Keddington.

3. APPOINTMENTS

4. CONSENT AGENDA

4.1 Minutes – RCCM 01-19-05

19:33:50 Council Member Bud Catlin **MOVED** to adopt the Consent Agenda with the corrections given to the City Recorder. Council Member Morris Pratt **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: The vote was as follows: Rechtenbach-yes, Catlin-yes, Pratt-yes, Wall-yes, Matsumura-yes, **All City Council members voted and the motion passed unanimously.**

5. PLANNING MATTERS

6. FINANCIAL MATTERS

6.1 *Resolution No. 05-05 – Appropriating Funds for the Installation of a Traffic Signal at 5400 S. 1500 W. – John Inch Morgan/Donald Adams*

19:34:36 Economic Development Director Don Adams presented a proposed resolution appropriating funds for the installation of a traffic signal at 5400 South and 1500 West. He also presented information that described actual costs of State furnished items as well as estimates for additional equipment required and installation.

19:35:54 Council Member Jerry Rechtenbach presented information in regards to the cost of traffic signals throughout the valley that have been installed from October 2004 to the present.

19:41:41 Council Member Bud Catlin requested clarification regarding Mr. Rechtenbach's research of estimated averages for signal installation. Mr. Rechtenbach reviewed costs varying from \$61,000 to \$32,000.

19:44:15 Lengthy discussion was held regarding the cost, responsibility for the cost and a budget allocation for the traffic signal.

19:47:39 Council Member Bud Catlin **MOVED** to adopt Resolution 05-05 in the amount of \$30,000 and that the cost not be taken from the Redwood Road Corridor but from Capital Expenditures. Council Member Morris Pratt **SECONDED** the motion. Chairman Wall called for discussion on the motion. 19:49:04 City Administrator John Inch Morgan explained that the title of the line item is Surface Transportation. Council Member Catlin **amended his motion** to change the line item name to Surface Transportation. Council Member Pratt **SECONDED** the

amended motion. 19:49:32 In response to Mr. Rechtenbach, Mr. Adams said that UDOT will become the owner of the traffic signal. Mr. Adams further explained that UDOT is paying approximately \$56,500 in material costs. Mr. Wall then called for a roll call vote. The vote was as follows: The vote was as follows: Rechtenbach-no, Catlin-yes, Pratt-yes, Wall-no, Matsumura-no. **All City Council members voted and the motion failed 3 to 2.**

19:51:04 Additional discussion was held and questions addressed.

19:53:34 Council Member Jerry Rechtenbach **MOVED** to adopt Resolution 05-05 in the amount not to exceed \$60,000 and that the cost be taken from the Redwood Road Corridor Fund. Council Member Les Matsumura **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-no, Pratt-no, Wall-no, Matsumura-yes. **All City Council members voted and the motion failed 3 to 2.**

19:58:25 Additional discussion was held, after which 19:59:30 Council Member Morris Pratt **MOVED** to adopt Resolution No. 05-05 in the amount of \$56,000 out of the Surface Transportation budget. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-no, Pratt-yes, Wall-yes, Matsumura-no. **All City Council members voted and the motion passed 3 to 2.**

7. OTHER MATTERS

7.1 Discussion Regarding a Request for an Appeal of the Planning Commission's Denial of a Conditional Use Permit for Self Serve Car Wash Located at 6210 S. 3200 W. – Mark McGrath

20:00:54 Community Development Director Mark McGrath explained that on January 11, 2005 the Taylorsville Planning Commission denied a Conditional Use Permit for a self serve car wash located at 6210 South 3200 West. The applicant initially appeared before the Planning Commission and the City Council requesting the zoning of the property be changed from R-1-8 to C-2. At that time, the Planning Commission voiced their concerns over the proposed use, but did recommend approval of the zone change. Shortly thereafter the City Council approved the zoning map amendment.

Mr. McGrath further explained that the Planning Commission held a Public Hearing on December 14, 2004 to hear the applicants request for a Conditional Use Permit for the car wash. Several issues were raised at that meeting, including concerns over the noise, the site plan, changes to topography, ability to excavate and grade the site, storm drainage, and pedestrian and vehicular safety. The Planning Commission determined that they needed more information from

the applicant and continued the item. The applicant submitted the information requested and a Public Hearing was held on January 11, 2005. Several neighbors were in attendance and spoke against the application. Some of the concerns raised were the noise, visual, safety and construction impacts to the neighborhood.

Mr. McGrath said that, based on the concerns raised by the Planning Commission and by the citizens in attendance at the meeting, the Planning Commission denied the application. The motion to deny the request included the following reasons for denial:

1. Concerns for the general welfare of the residential neighborhood and general public
2. Safety concerns for motorists
3. Safety concerns for pedestrians
4. The Planning Commission does not believe this use is a good fit for this particular site

Chairman Wall explained that, according to Taylorsville City Ordinance, the Taylorsville City Council hears appeals of the Planning Commission decisions concerning Conditional Use Permits. The ordinance stipulates that after receiving the letter of appeal, the City Council must choose one of the three options concerning the appeal:

1. Remand the issue back to the Planning Commission for further review
2. Uphold the Planning Commission decision
3. Schedule a Public Hearing to hear the appeal

20:03:33 Discussion was then held regarding this issue.

20:20:33 Dama Barbour spoke defending her position as a Planning Commission member in that she denied the application because she feels that it is a safety issue.

20:26:18 Dean Erickson, applicant, addressed the City Council and said that they would like the opportunity to proceed with their project.

20:28:37 Further discussion was held and discussion was held in regards to the Health Department. Mr. McGrath said that the Health Department is concerned about the vinyl fencing and with the sounds that may come from the bays.

20:29:14 Council Member Morris Pratt **MOVED** that the City Council hear the appeal of the applicant. Council Member Bud Catlin **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: The vote was as follows: Rechtenbach-no, Catlin-yes, Pratt-yes, Wall-yes, Matsumura-yes, **All City Council members voted and the motion passed 4 to 1.**

20:30:22 Council Members requested an opinion from the Health Department in regards to the noise and nuisances at that location and have staff assist in getting that information.

7.2 Ordinance No. 05-07 – Amending Chapter 11.12.65, to the Taylorsville Code Regarding Low Profile Vehicles and Motor Assisted Scooters – *John Brems*

20:36:06 City Attorney John Brems presented a proposed resolution and explained that low profile vehicles and motor assisted scooters have dramatically increased in both numbers and variety, and conflicts, accidents and the potential of accidents, have increased. He also explained that due to the combination of potential speed and low visibility of motor assisted scooters and low profile vehicles, such as pocket bikes, mini-motorcycles, go-carts and the like, the Council has determined that these vehicles are not consistent with those currently regulated for travel upon the public roadways and are not consistent with the purpose of sidewalks.

20:38:25 Discussion was held in regards to motorized vehicles that are designed for disabled persons. The Council agreed to add the language “excluding vehicles that are specifically designed for transportation of disabled persons.”

20:40:24 Council Member Morris Pratt **MOVED** to adopt Ordinance No. 05-07 Amending Chapter 11.12.65 to the Taylorsville Code of Ordinances Regarding Low Profile Vehicles and Motor Assisted Scooters, adding the terminology discussed regarding vehicles for disabled persons. Council Member Im **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: The vote was as follows: Rechtenbach-yes, Catlin-yes, Pratt-yes, Wall-yes, Matsumura-yes, **All City Council members voted and the motion passed unanimously.**

8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action) 20:42:05

9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING) 20:42:13

City Council Briefing Session – Wednesday, February 16, 2005 – 6:00 p.m.
City Council Meeting – Wednesday, February 16, 2005 – 6:30 p.m.
Special City Council Meeting – Saturday, February 19, 2005 – 7:00 a.m.
City Council Briefing Session – Wednesday, March 2, 2005 – 6:00 p.m.
City Council Meeting – Wednesday, March 2, 2005 – 6:30 p.m.

10. CALENDAR OF UPCOMING EVENTS

20:42:45 Monday, Feb. 21 – Presidents’ Day Holiday – City Offices closed
Saturday, Feb. 26 –Orchestra Concert – 7:30 p.m. – Taylorsville High School

11. ADJOURNMENT

20:43:18 Council Member Morris Pratt **MOVED** to adjourn the City Council Meeting. Council Member Bud Catlin **SECONDED** the motion. Chairman Wall called for discussion. There being none, he called for a vote. The vote was as follows: The vote was as follows: Rechtenbach-yes, Catlin-yes. Pratt-yes, Wall-yes, Matsumura-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 8:43 p.m.

Virginia Loader, City Recorder

Minutes approved: CC 02-16-05

Minutes Prepared by: Virginia Loader